

APPROVED

July 1, 2015

TELE-CONFERENCE

MEETING OF THE MONTGOMERY COUNTY BOARD OF ELECTIONS

18753-210 North Frederick Avenue, Gaithersburg, Maryland

On Call:

Board Members:

James Shalleck, President
Nahid Khozeimeh, Vice President
Mary Ann Keefe, Secretary
Alexander C. Vincent
David Naimon

Staff:

Margaret Jurgensen, Election Director
Lisa Merino, Office Services Coordinator
Marjorie Roher, Management and Budget Specialist III

Counsel:

Kevin Karpinski

Guests:

Lynn Garland

Convene the Board Meeting and Declare a Quorum Present

Mr. Shalleck called the Tele-Conference to order and declared a quorum present at 5:00 p.m.

Mr. Shalleck stated that the Tele-Conference was called to discuss the budget; he noted that an announcement was posted on the website prior to the conference call. Attendees to the meeting announced themselves. Mr. Naimon inquired if the meeting was being recorded and minutes would be taken. Mr. Shalleck responded that the meeting is being treated as an open meeting; minutes and audio will be made available to the public.

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Mr. Shalleck stated that Ms. Keeffe expressed an interest to discuss correspondence that was sent to the Board Director and members. He stated that correspondence was sent late Friday evening from Tim Firestine, Chief Administrative Officer for Montgomery County, asking that departments take an additional 2% reduction to their FY16 budget. He stated that the correspondence was shared with him, he discussed the reduction request with the Board Director and in her opinion, with his agreement, it was decided that a letter requesting an exemption to the reduction be submitted in response. If the reduction were to be rejected, the Board would have an opportunity to discuss other options via a Tele-Conference or Board meeting. Ms. Jurgensen added that the additional funds allocated for FY16 (\$150,000) were frozen and would not be distributed in the FY16 budget; upon agreement with the Board President a 2% (\$128,128) place holder cut from the MDVoters line item was suggested. She added that she has discussed the cut with Mr. Subin [Liaison to the County Executive], reminding him that Mr. Leggett's priority was outreach for the new voting system.

Mr. Naimon asked Ms. Jurgensen why she picked the MDVoters line item to be the place holder. Ms. Jurgensen responded that it was because the county has to pay that item and it is unrealistic to cut any additional funding from the budget; BOE is already in the hole \$2.8 million due to the new voting system, and it is not possible to cut any money from the budget. Mr. Naimon asked if that was unresponsive to the CAO's request for cuts if the amount suggested to be cut from the MDVoters line item could not actually be cut. Ms. Roher stated that the line item would still hold approximately \$372,000 with the 2% cut of \$128,128 – based on FY15 invoices to date she believed it would be a realistic cut for FY16. Ms. Roher added that suggesting to pull funds from other line items is not realistic. Mr. Karpinski noted that SBE bills are typically not sent until well into the next fiscal year.

Ms. Keeffe stated that she requested the conference call once she read the email last night from Ms. Jurgensen at 5:30, four days after the receipt of the CAO's correspondence late on Friday. She stated that all Board members needed to be contacted prior to a response sent, if not during the weekend then on Monday. She added that the decision made should not have been that of staff, but instead a policy Board decision. Ms. Keeffe expressed her disappointment with the letter sent to the County noting that the word "Board" was used and implied that the Board knew of such exemption and suggested place holder amount, when in fact the Board knew nothing. She questioned why there was a lack of communication with the Board regarding such an imperative decision, especially when Board members individually were very involved with the budget and lobbying for additional funds. Ms. Keeffe asked that Ms. Jurgensen explain why the Board was not notified. Mr. Naimon stated that he supports Ms. Keeffe's statement and asked that Mr. Shalleck also respond to the lack of communication to the Board, adding that, as the Board President, he does not necessarily speak for the entire Board when the Board members have no idea what the issues are. Mr. Shalleck said that was correct.

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Mr. Shalleck stated that the response that Ms. Jurgensen drafted with his approval was to ask for an exemption. He added that if the exemption is/was to be denied, then at the time the Board would meet and discuss budget cut options. Ms. Keeffe and Mr. Naimon disagreed, noting that funds were also earmarked. Ms. Jurgensen stated she discussed the suggested line item with Mr. Shalleck reflecting a 2% cut. In addition, the funding of \$150,000 allocated by the County Council was not transferred, but taken from the BOE budget. Ms. Jurgensen added the letter was written and sent on behalf of the department named "Board of Elections", in response to Tim Firestine's letter to the Department Director, and did not reflect the view or position of the Board members.

Ms. Keeffe stated that the Board approves and works on the budget all the time, and the Board had a budget committee. Mr. Naimon added that if the County Executive requested each department to identify realistic cuts, it is a big deal to make a decision that says "do we have to play?" or that says "here's a cut, but it's not real because it's actually a state expense that is mandatory." He added that other Board members, if given the opportunity, may have identified where other funds could have been cut from the budget. For example, Mr. Naimon stated that he personally thinks that voting booths are a waste of funds, realizing that SBE thinks that voters need them. The State thinks that it's somehow better for voters to be standing up rather than sitting down to vote but this is a huge expenditure that can be eliminated. Under this process, Board members did not get a chance to do this. Ms. Jurgensen stated the line item suggested has the greatest likelihood of not being billed for the full amount, which is why that line item was suggested. In addition, the exemption request was for the \$150,000 and the \$128,128. Mr. Vincent inquired if a cut is given would there be an option to take funds from another line item. Ms. Jurgensen responded yes. Mr. Naimon indicated that he thought it would not be good for the Board's relations with the County Executive and the County Council, whose support for the election will be needed, if we respond to their request for cuts with a suggested cut, and if they agree to our suggested cut, the Board then changes it. Mr. Naimon asked that the staff provide a number of options and then the Board decide on what propose to do for cuts if they turn down the request for a complete exemption. Mr. Shalleck said that sounded reasonable - if they turn us down for the exemption, then the Board would decide what cuts there would be. Ms. Keeffe indicated that she was happy to hear that.

Mr. Shalleck inquired when staff would hear about the budget reduction request. Ms. Jurgensen responded that she didn't think we would hear about it until next week. She added that the line item provided was a place holder to meet the deadline given, adding that we have made a strong case for the exemption and having an advocate in Michael Subin (requesting a full exemption) would be to our benefit. Mr. Vincent recommended that Ms. Jurgensen inform Mr. Firestine that the line item provided may be subject to change after the Board members have the opportunity to consider the matter. Mr. Naimon agreed, and suggested that it be done in writing, and that Mr. Firestine be asked when he would need to hear from the Board about any proposed cuts. Mr. Shalleck agreed to this suggestion. Ms. Jurgensen will send an email to Mr. Firestine, with a copy to the Board.

Ms. Keeffe requested that the Board be provided the latest budget spreadsheet next week, rather than at the Board meeting. Mr. Naimon requested that other line item options be provided in advance of the Board meeting if the exemption is not accepted. Mr. Vincent asked Ms. Jurgensen for a list of the top line items that are most likely to be under budget. Ms. Jurgensen said the problem is that there are no areas that will be under budget.

Ms. Keeffe asked Ms. Jurgensen to assure that the Board is copied on everything to do with these budget issues from now on. Ms. Jurgensen stated that she will contact Mr. Shalleck the next day to determine what she is required to do and proceed as directed by the Board President with regard to sharing the information with all Board members once the Board President has signed off on the content.

Mr. Naimon stated that the Director of the Board of Elections works for the entire Board, not just the Board President. That is how it has operated in the past, and he is hoping that is how it will operate in the future. He stated the Board President has no authority tomorrow to undo what the Board has done today, and if a motion or vote is needed to proceed with said actions discussed today, he would have no problem making one now. Ms. Khozeimeh stated that Mr. Shalleck is Ms. Jurgensen's point of contact for the Board as it was done before with Ms. Keeffe. Mr. Naimon, Mr. Shalleck, and Ms. Khozeimeh agreed that Ms. Jurgensen will follow the directions of the Board from this meeting.

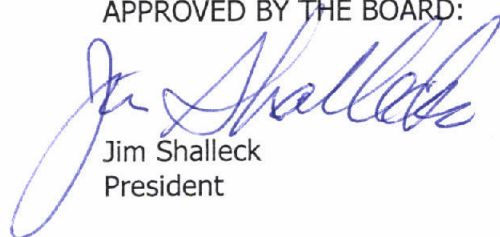
Adjournment

Ms. Khozeimeh moved to adjourn the meeting. The motion was seconded by Mr. Vincent and carried unanimously. The meeting adjourned at 5:40 p.m.

Respectfully Submitted,


Lisa Merino
Office Services Coordinator

APPROVED BY THE BOARD:


Jim Shalleck
President